

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

UNITED STATES DISTRICT COURT

for the

District of _____

Division _____

FILED
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SERVED ON
COUNSEL/PARTIES OF RECORD

AUG 12 2019

CLERK US DISTRICT COURT

JTV

2:19-cv-01385-JAD-EJY

Shirley Hampton

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Spring mtn treatment center
Universal Health Services
Kasie Hamilton, Dr. Nwapa
case manager Shannon, case mgr Sarah

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☒ Yes ☐ No

COMPLAINT FOR EMPLOYMENT DISCRIMINATION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

Shirley Hampton
622 S W. Haren Ave.
Las Vegas Nevada Clark
Nevada 89141
725. 244. 6872
wsally11@aol.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name Spring Mountain Treatment Center
 Job or Title *(if known)*
 Street Address 7000 West Spring Mtn Road
 City and County Las Vegas, Clark County
 State and Zip Code Nevada 89117
 Telephone Number 702. 873. 2400
 E-mail Address *(if known)*

Defendant No. 2

Name Universal Health Services
 Job or Title *(if known)*
 Street Address 110 Westwood Place
 City and County Brentwood, Shelby County
 State and Zip Code Tennessee 37027
 Telephone Number 702. 873. 2400
 E-mail Address *(if known)*

Defendant No. 3

Name Kasie Hamilton
 Job or Title *(if known)* LCSW Clinical Director
 Street Address 7000 W. Spring Mtn. Rd
 City and County Las Vegas, Clark County
 State and Zip Code Nevada 89117
 Telephone Number 702. 873. 2400
 E-mail Address *(if known)*

Defendant No. 4

Name Dr. Emmanuel Nwapa
 Job or Title *(if known)* Doctor
 Street Address 7000 W. Spring Mtn Rd
 City and County Las Vegas, Clark County
 State and Zip Code Nevada 89117
 Telephone Number 702. 873- 2400
 E-mail Address *(if known)*

Shirley Hampton

Plaintiff / petitioner

VS

Spring mtn Treatment Center
Universal Health Services

Case Manager Supervisor Kelsey

Case Manager Diana

Case Manager Shavonne

Ronnika, RN - staff / employee

Dattina - employee

James, RN - Staff / employee

Case Manager Shannon

Case Manager Sarah

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is

Name
Street Address
City and County
State and Zip Code
Telephone Number

Spring Mtn. Treatment Center
7000 W. Spring Mtn. Rd
Las Vegas Clark County
Nevada 89117
702. 873. 2400

II. Basis for Jurisdiction

This action is brought for discrimination in employment pursuant to (check all that apply):



Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)



Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)



Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)



Other federal law (specify the federal law):



Relevant state law (specify, if known):



Relevant city or county law (specify, if known):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

☐

Failure to hire me.

☐

Termination of my employment.

☐

Failure to promote me.

☐

Failure to accommodate my disability.

☐

Unequal terms and conditions of my employment.

☒

Retaliation.

☐

Other acts *(specify)*: Race, color, religion and age

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)

05/15/2018 - 06/01/2018

C. I believe that defendant(s) *(check one)*:

☐

is/are still committing these acts against me.

☒

is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:

☒

race

☐

color

☐

gender/sex

☒

religion

☐

national origin

☒

age *(year of birth)*

1960

(only when asserting a claim of age discrimination.)

☐

disability or perceived disability *(specify disability)*

E. The facts of my case are as follows. Attach additional pages if needed.

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Defendants allowed ^{younger} white female named Amy A. to complete her 90 day probationary period AND terminated Plaintiff's probationary before 30 days ^{before} the 90 day probationary period.

Defendants retaliated against Plaintiff's when she reported acts of discrimination ^{sexual harassment} by aborting her employment and terminating her. Defendants all created an extremely hostile work environment for Plaintiff.

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on (date) 06/01/2018

- B. The Equal Employment Opportunity Commission (check one):

☐

has not issued a Notice of Right to Sue letter.

☒

issued a Notice of Right to Sue letter, which I received on (date)

05-18-2019

05-18-2019

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct (check one):

☒

60 days or more have elapsed.

☐

less than 60 days have elapsed.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

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- Enjoin Spring Mtn treatment Ctr, Universal Health Services and all Defendants from engaging in Discrimination, in violation of Title VII against any employee for employment.
- Award all appropriate Monetary relief, including back from time of loss of job until new employment in order to make her whole for the loss she suffered as a result of the discriminatory conduct alleged in this complaint. See attachment

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

8/12/2019

Signature of Plaintiff

S. Hampton

Printed Name of Plaintiff

Shirley Hampton

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

AWARD Ms. Hampton any prejudgment interest on the amount of lost wages and benefits determined to be due;

Award Compensatory damage to Ms. Hampton to fully compensate her for the pain and suffering caused by the discriminatory conduct alleged in this complaint, pursuant to and within the Statutory limitations of Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981j;

Award such relief as justice may require, together with the United States' cost and distribution/disbursements in this action.

Jury Demand

The Plaintiff hereby demands a trial by jury of all issues so triable pursuant to Rule 38 of the Federal Rules of Civil Procedure and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Shirley Hampton
6225 W. Haleh Ave
Las Vegas, NV 89141

From: Las Vegas Local Office
333 Las Vegas Blvd South
Suite 5560
Las Vegas, NV 89101

☐

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

487-2018-01432

Saul Vazquez,
Investigator

(702) 388-5812

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☒

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

MAY 15 2019

Enclosures(s)


Patricia A. Kane,
Acting Director

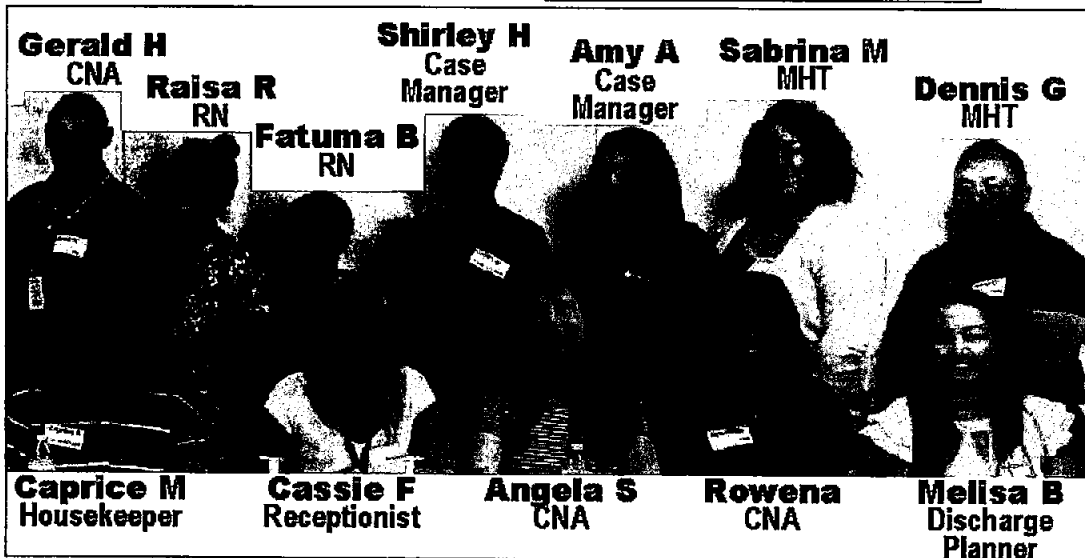
(Date Mailed)

cc: UNIVERSAL HEALTH SERVICES
attn: Carolyn M. Clark, HR Analyst
110 Westwood Place
Brentwood, TN 37027

WELCOME!

May New Hires

YOU'RE HERE!
(the day just got better)



Quotable Quotes

Those people who think they know everything are a great annoyance to those of us who do.

"NEVER ALLOW SOMEONE TO BE YOUR PRIORITY WHILE ALLOWING YOURSELF TO BE THEIR OPTION."

There are two primary choices in life: to accept conditions as they exist, or accept the responsibility for changing them.

Dear Optimist, Pessimist, and Realist,

While you guys were busy arguing about the glass of water, I drank it!

Sincerely,
The Opportunist

The naked Truth is always better than the best-dressed Lie.

Sometimes when you're in a dark place you think you've been buried, but actually you've been planted.

When life shuts a door ...open it again. It's a door. That's how they work.

Success is not final, failure is not fatal: it is the courage to continue that counts.